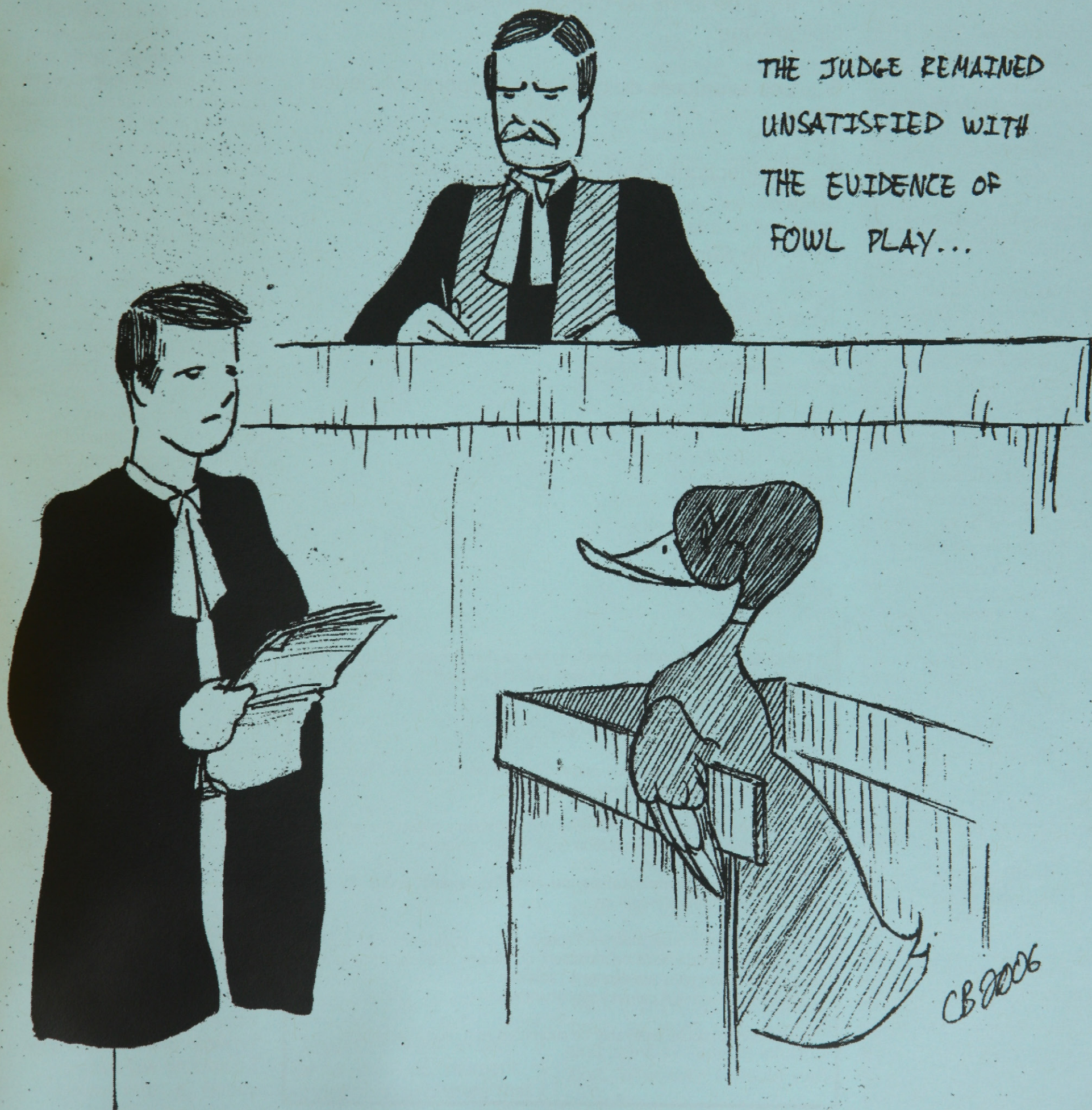


# QUID NOVI

*McGill University, Faculty of Law*  
*Volume 26, no. 17, 07 March 2006*





# QUID NOVI

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**Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca**

Toute contribution doit indiquer l'auteur et son origine et n'est publiée qu'à la discrétion du comité de rédaction, qui basera sa décision sur la politique de rédaction telle que décrite à l'adresse:  
<http://www.law.mcgill.ca/quid/edpolicy.html>.

Contributions should preferably be submitted as a .doc attachment.

## EDITORIAL

People for the Ethical Treatment of Animals criticized a teacher in Rosamond, California, for castrating a live pig in front of a high school group; a school superintendent countered that animal castration is an important skill for students to learn.

India, seeking to contain an outbreak of bird flu, sealed off a town and 19 surrounding villages. Scientists found that new infectious diseases were emerging at a faster rate than they had in the past. "These are good times," said a scientist, "for pathogens to be invading the human population." The human population reached 6.5 billion.

President George W. Bush threatened to veto any congressional measure that slowed the acquisition of between six and 22 U.S. seaports by Dubai Ports World, a United Arab Emirates-controlled firm. Critics of the acquisition pointed out that the United Arab Emirates was home to two of the September 11 hijackers and was one of few countries to recognize the Taliban. Dubai Ports World subsequently agreed to a 45-day review of the deal, which will provide the Bush Administration with more time to promote the takeover.

U.S. conservative groups were planning to propose bills or initiatives outlawing gay marriage in 16 states, and a Bavarian village was flooded with over a foot of pig manure.

The mayor of London was suspended for four weeks with full pay for saying to a Jewish journalist: "You are just like a concentration-camp guard." Don Knotts died.

-- *Harper's Week in Review*



# HOW A CONFIRMED TEETOLER ENDED UP TREASURER OF THE WINE CLUB

by Francie Gow (Law II)

I have been an active member of the McGill Wine Appreciation Club since its inception last year. I have attended every tasting, have joined the recently formed executive, and have even co-organized a tasting with Kandice Ardiel (Law I), which involved selecting and buying the wines for that evening. Many of you have been asking me questions about the club, so I'll share some of my thoughts about it here in the Quid.

I'm a total beginner. When people ask me about the club, they generally don't ask about the wine; they want to know why I joined, what it is all about, and why I stay. Today, I'll tell you why I joined. Perhaps another day I'll tell you what I find so fascinating about it.

Interestingly, I drank no alcohol (beyond sipping and gracing) for my first 25 years. It wasn't a principled decision. I just found it thoroughly unpleasant and did not see the point of acquiring the taste. My friends and family seemed perfectly willing to keep me around regardless. After I moved to Ottawa a couple of years ago and started seeing my boyfriend (Julien Morissette, Law II, for those of you who count law couples), I was thrown into a family

where wine was a standard accompaniment to most meals. When they realized they had gotten stuck with a non-drinker, the tongue-in-cheek attitude was, "Oh well, too bad for you; at least there's more for us!" At no point did I feel pressured to conform. I vaguely felt that I was missing out on some strange secret, since they all seemed to get so much pleasure out of it, but no stress.

Then I went to Paris. It wasn't the fact that it was Paris. After all, a few years before I had lived and worked in France, and even toured vineyards, without the slightest desire to consume a single drop of the vile beverage. No, it was Julien's Parisian grandfather. Although he seemed to approve of me in every other way, this non-drinking nonsense clearly puzzled him. "Quel gaspillage! Voici une fille qui apprécie la bonne nourriture, sans apprécier le bon vin qui va avec. L'un n'est pas complet sans l'autre!" When I protested that I had made an effort (which was sort of true, considering that I did force myself to sip a few times a year, if only to remind myself how much I hated it), he actually banged his fist on the dinner table and said, "Clairement, pas assez!" It was a catalytic moment. I decided then and there that I

wanted to know what the big deal was.

From then on, I took one sip of wine every time it was offered. When it was a really good bottle opened for a special occasion, I took two sips. The main effect that this had was that after a year, I had developed a taste for wine I couldn't afford. Luckily, it only took me another year to work my way down the price ladder. By that stage I had morphed into a moderate, responsible drinker who had never had a hangover (still haven't, knock wood). However, like most people my age, I was woefully uninformed about what I was drinking. Now, my "in-laws" are not ones to swirl and slosh and consider the tantalizing notes of licorice and Chanel no. 5. But they knew what they liked, and they knew where it came from. So one person would say, "We are drinking a 1999 *blah blah* from the region of *blah blah*," and everyone would nod knowingly, and someone might follow with, "Do you remember that wonderful *blah blah* from *blah blah* we had with the cassoulet at Christmas?"

Here they would completely lose me. I would think back and remember having had wine with the cassoulet at Christmas, and I would feel relatively certain that I had not disliked it, but as for remembering what it tasted like or what it was called, forget it! So I would concentrate really hard on the new wine, repeating the name in my head, and trying to store the taste in my memory. To no avail. By the next night, the sensation would have vanished completely, along with the name. I just had no framework in my otherwise capable brain to store such esoteric and infinitely variable information. Whenever I would walk

into an LCBO or SAQ, I would let someone else make the decisions. The labels might as well have been written in another alphabet.

Life went on happily despite my ignorance—meals were eaten, wines drunk, theses defended, law school applications filled out, Montreal apartments found, IKEA furniture built, overpriced coursepacks purchased, exams scribbled, moots mooted, egos deflated, new friends made.

Last year, one of those new friends, Rohan Gulrajani (Law I, as he then was), decided to start a wine appreciation club here at the Faculty. I was one of the first to sign up, because I saw an opportunity finally to understand the meaning I suspected was hidden behind the endless stream of *blah blahs*. I loved the relaxed atmosphere and the company of the other participants, the good conversation that more often than not has nothing to do with law, and the rich new vocabulary that I am acquiring. I am slowly overcoming my label anxiety. Oh, and the wine is pretty good, too.

For those of you who are intrigued, the next tasting will be Thursday, March 9, at 8:00 p.m., in the upper Atrium after Coffee House. It will be a "special edition" tasting, featuring several cellared Bordeaux that are no longer available in Canada. Participants will be getting incredible value for their \$20. For each of the older wines there will also be a more recent vintage from the same winery, so that we can try our first "vertical tasting", comparing the same wine from different years. Seats are limited; you can reserve yours by writing to [vino.mcgill@gmail.com](mailto:vino.mcgill@gmail.com).

☐



# LEGALESE: YOUR NON TRADITIONAL RADIO

by Caroline Kim (Law III) and Kate Zavitz (Law II)

Maybe your experience with non-traditional radio is limited to having watched Christian Slater in "Pump Up the Volume". Maybe you went to another university where "college" radio is the best (and only) alternative to classic rock hits or top 40 blathering. Although Montreal has a huge variety of radio stations, McGill's radio station, CKUT 90.3 FM, fills in the gaps in community programming and the latest Canadian and underground music. You're not going to hear endless traffic updates or pre-fab music here.

Some of you might be regular listeners. There is no shortage of cultural and music programming on CKUT. Spoken word favourites are Caravan, Montreal Jewish Magazine and Queercorps. My new music favourite is Matt Ellis from 1am - 4 am Thursdays (as in stay up late on Thursdays). But I also like the New Shit, If You Got Ears, and of course the bread in the LegalEase sandwich, Jazz Amuck and Butcher T's Noon-Time Cuts.

If you have a favourite show, but don't carry a radio everywhere, you can always

cruise  
the CKUT archives at [ckut.ca](http://ckut.ca).

Or you can tune into LegalEase! McGill Law students are regular contributors to the airwaves. Our weekly show, LegalEase, started a few years back as an off-shoot of the McGill Legal Information Clinic. It has since morphed into a collective of law students who come up with topics, guests and research for a live show each Friday at 11:30. CKUT provides all the training, equipment, airtime, **\*and\*** a tech...we provide the talk.

It's your station - so tune in.  
Or better yet, contribute!

**LegalEase airs on CKUT 90.3 FM from 11:30 to 12:00 every Friday. If you want to host, program, or invite a guest for a special topic, send an email to [kate.zavitz@mail.mcgill.ca](mailto:kate.zavitz@mail.mcgill.ca). LEGALEASE IS LOOKING FOR SUMMER HOSTS. 📧**



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TORONTO MISSISSAUGA WATERLOO MONTRÉAL



# THE SQUARE: Fear and Loathing in America's Wastelands

by Nicholas Dodd (Law I)

Nevada. State of desert and sin, money and emptiness. Also less renowned for being the place I found myself traveling through over our recent break. A place where my dominant emotions, whenever I removed my safety blinders, were abject fear and directionless loathing. Although I've never had the chance to read Hunter S. Thompson's book, and nor have I seen the film for that matter, I now feel a distinct kinship with the underlying theme (despite the disappointing lack, in my journeys, of a Samoan and/or a convertible full of mind-altering substances). Bear with me and I will try not to slip into any clichéd analysis of "what makes Canada different," or to create some haunting analogy of "Nevada as a microcosm for the malaise infusing Western society." Nevertheless, I would like to share some reflections on ... a state of mind that I cannot define. Alas, if it were only due to drugs that I felt this disturbed!

My brother and I arrived in Las Vegas late that Sunday evening, weary with travel and a semester that had already begun to take its toll. Nevertheless, in a testament to our true grit, we compelled ourselves to take advantage of the one night we had in the city of sin sans famille. Out onto the strip and into the

dark, the bright lights floating lazily by and the blips and squawks of the casino penetrating the mind. Empty faces of people mesmerized by spinning dials and rolling dice, money that they/we/us/he/she probably should save is gone and going. Soon enough the clock ticks past 6am through the haze smoke and the lingering taste of scotch. Breakfast, then bed, and breakfast again.

It is amazing that an experience like that should seem normal until thrown into sharp relief by the events of later that afternoon. We are waiting at the airport for a bus to take us South, through the desert, to a small town which sits at the intersection of Nevada, Arizona and California. In front of us a group of young men, in their newly minted desert fatigues, prepare for the flight that will take them from here, the Mojave Desert, to Germany, and onwards to another desert, this one in Iraq. Young men, younger than myself, some who look scared, some who look confident, some bemused, and some that will be statistics on the evening news in millions of living rooms on a Tuesday evening. Beside me a group of four young women, howling with laughter while reflecting on the events of the night before, climb into a vehicle with a bumper sticker that reads,

"We Support Our Troops." My 'Reese's Pieces' taste delicious however.

Five days of family later and we are on the road again, speeding North past the rolling brown rock. A senior citizen sitting in the seat in front of us tells a non-existent friend about how her landlord has thrown her out – she's heading to Indianapolis because she hears they have affordable rents there. The bus ticket has been purchased on the United Way's dollar. Mere miles away the Hoover Dam is producing enough electricity to power the 24-hour party that is Las Vegas.

A number of people, upon returning from their travels South, have expressed to me their disconcerting impression that America is a fundamentally alien place. Except those that went to New York. New York is apparently something that a McGill Law student can understand. I'm not sure that there is any reason I should have experienced the fear and loathing that I did – the differences between the place I hail from and the place I traveled to are arguably pure works of fiction anyways. I am sorry for being so obtuse and directionless in writing this article, I promise the next installment will return to form and present nothing but neurotic observations on the

more meaningless details of everyday life (which, by the way, I feel should've been the subtitle of *Seinfeld*).

Although I may appear to be leading you down that path that Captain Yossarian and Holden Caulfield have trodden before, fear not, I remain as well adjusted as can be reasonably expected (and I'll appreciate you reserving your laughter for out of school hours). But if you do know where I could find a Samoan lawyer with a red convertible willing to take to the road in search of the "American Dream," don't hesitate to drop me a line. ☺

An education  
isn't how  
much you have  
committed to  
memory, or  
even how  
much you  
know. It's  
being able to  
differentiate  
between what  
you know and  
what you  
don't.

Anatole  
France



# IL Y A DE LA VIE AU DEUXIÈME ÉTAGE DE LA BIBLIOTHÈQUE

par Caroline Briand (Law III) et Julien Morissette (Law II)

Un article paru dans le Quid de la semaine dernière laisse penser que le rôle de Me Boyer est méconnu des étudiants, bien que tout le monde sache qui il est. Voici une courte explication de ce que Me Boyer peut faire pour vous, pour ceux n'ayant pas l'habitude de monter les escaliers jusqu'au deuxième étage de la bibliothèque.

Parmi ses tâches les mieux connues, Me Boyer est en charge de la collection de livres anciens de la faculté, à titre de Wainwright Librarian. Les étudiants peuvent avoir accès sur demande. Il est par ailleurs un des deux responsables du programme de méthodologie, où il assume des tâches de correction, d'organisation et relatives à l'enseignement des techniques de recherche.

Aussi, Me Boyer participe au processus de sélection des étudiants qui participeront aux divers concours de plaidoirie, pour ceux qui s'y essaieront

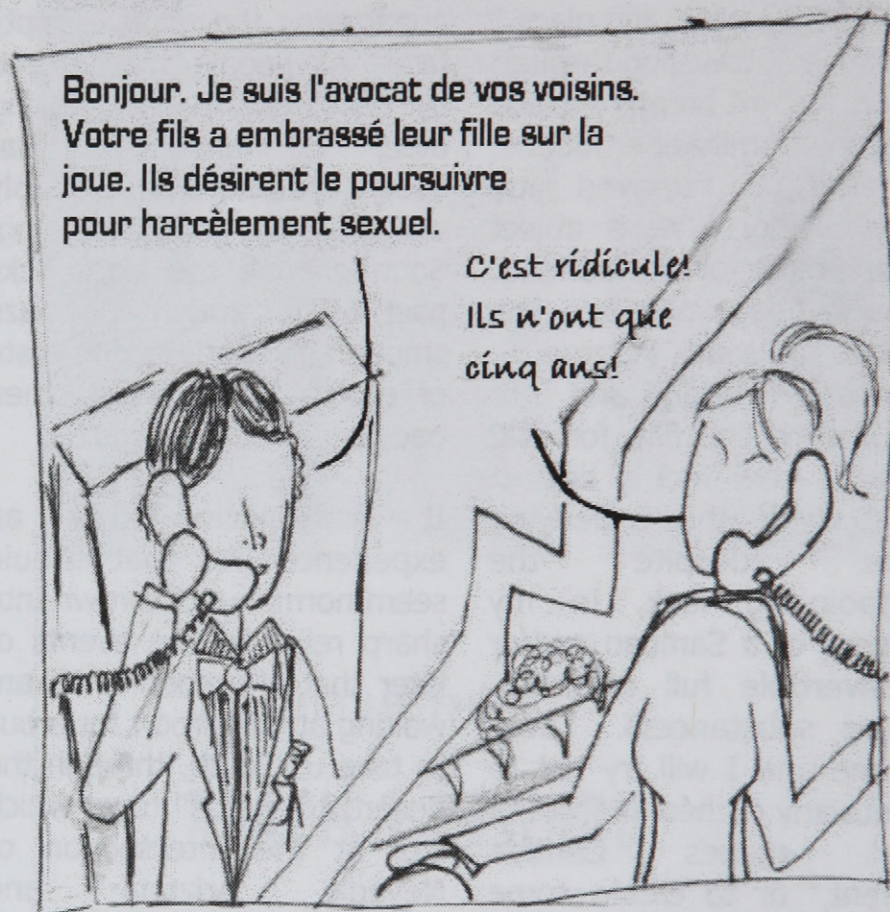
prochainement.

Enfin, il est la personne à contacter si vous avez des recherches complexes ou particulières à effectuer. Par exemple, lors du concours Mignault, Me Boyer nous a aidé à trouver des débats de l'Assemblée nationale datant des années 1970, en nous orientant quant à la nature des documents recherchés et en nous mettant en contact avec des personnes ressources à la bibliothèque McLennan.

Les coordonnées de Me Boyer sont disponibles sur le site web de la faculté et son bureau se trouve au deuxième étage de la bibliothèque. 📖

# LES AVENTURES DU CAPITAINE CORPORATE AMERICA 28

Par: Laurence Bich-Carrière (Law II)



Qu'est-ce que ça aurait été s'ils avaient joué au docteur?



Exercice illégal de la profession de médecin. Dix ans de réclusion criminelle...



La ***Publication en droit de la santé de McGill*** est à la recherche de textes traitant du droit de la santé pour les inclure sur son site internet sous la rubrique "contributions étudiantes".

La *Publication* est issue d'une initiative étudiante ayant pris forme au cours de la dernière année et visant à créer une publication interdisciplinaire en ligne sur le droit de la santé.

Notre objectif est de créer une ressource éducative de qualité à l'usage tant des académiciens et des étudiants que des professionnels du domaine de la santé et du public en général. La *Publication*, dont la parution est prévue pour janvier 2007, explorera les points de rencontre entre la santé et le droit avec un œil critique et innovateur, dans un cadre trans systémique. En publiant des textes de haut calibre révisés par des pairs et en créant une source d'information en ligne, elle offrira un forum permettant un débat sur les questions cruciales ayant trait à la santé, à la politique publique et à l'éthique en général.

Si vous avez déjà écrit un travail qui pourrait contribuer à la *Publication* et que vous êtes intéressés à ce qu'il figure sur le site internet, vous pouvez le faire parvenir à l'adresse e-mail suivante : [submissions.mhlp@mail.mcgill.ca](mailto:submissions.mhlp@mail.mcgill.ca). Les textes seront jugés selon leur pertinence, leur clarté et la qualité de la langue. Pour toutes questions:

[catherine.simard@mail.mcgill.ca](mailto:catherine.simard@mail.mcgill.ca).

**La date limite est le 17 mars, 2006.**

The ***McGill Health Law Publication*** is looking for essays on a range of topics in health law for inclusion on the "student contributions" section of its website.

The *Publication* is the product of a student initiative formed last year to create an on-line interdisciplinary medium for the advancement of health law at the faculty. Our goal is to create a high-quality educational resource for academics, students, professionals in the healthcare field, and the general public. With an expected publication date of January 2007, the *Publication* will critically explore the nexus of health and law in a transsystemic framework. By publishing high-calibre, peer-reviewed, scholarly articles, and maintaining an organic on-line database, we hope to provide a forum for the vital debate surrounding health, public policy and ethics.

If you have written anything that may compliment the *Publication* and are interested in having us consider it for the website, please contact us at [submissions.mhlp@mail.mcgill.ca](mailto:submissions.mhlp@mail.mcgill.ca). Essays will be assessed for pertinence, clarity and quality. Please contact Catherine Simard ([catherine.simard@mail.mcgill.ca](mailto:catherine.simard@mail.mcgill.ca)) with any questions.

**The deadline for submissions is March 17, 2006.**



# CONNECTIONS: STUDENTS AND PROFESSORS GET CHATTY

Interview by Ryan Anderson (Law II)

**P**rofessor Mark Antaki agreed to this interview on short notice and somehow managed to respond to questions...off the cuff, yet thoughtfully.

*It seems one of the challenges for McGill (or any university) is to strike an acceptable balance between being both an academic institution of inquiry and an institution that seeks to provide vocational training. How do you feel this balance is best achieved?*

I like to think it's a false problem. I don't see a necessary divide between an academic institution of inquiry and a place of vocational training. First, I believe that this divide emerges most starkly when we hold on to certain conceptions of the relation between theory and practice, such as when we have a very theoretical conception of practice. That is, when we begin to reduce the practical point of view to a mere knowledge of rules. Second, I would like to emphasize that within the question you have the word *vocation*. In vocation, we can hear "calling." Responding to a calling is different than becoming a "technician" or churning out "technicians".... so I'd suggest that we hear the word vocation in this sense...let's hear the word again.

*What do you mean by technicians?*

When I said "technicians," I meant to point to an understanding of the practical point of view, including the point of view of legal practice, that reduces this practical point of view to the mere application of pre-existing rules. I mean the conception of coming to and finding the law, then applying it.

*Do you mean taking packaged legal concepts and throwing them around without a proper level of respect or understanding?*

Yes. When we talk about practice and the practical point of view, we're talking, in large measure, about a basic philosophical problem, the problem of judgment. The question of the nature of judgment, a question that Aristotle and Kant (among many others) tackled, is crucial to law. Good judgment is not reducible to the mere application of pre-existing rules. There is an autonomy to the practical point of view. No amount of so-called theory will tell us what the right thing to do is in advance of every situation.

*Sounds like that would create a problem of efficiency.*

I am not sure I see how. And there are some things

that are more important than efficiency. Hannah Arendt tried to tackle the problem of judgment in several of her works. In *Eichmann In Jerusalem: A Report on the Banality of Evil*, Arendt explores the possibility that Eichmann's sheer thoughtlessness led to his great evil. Eichmann was willing to exchange one set of rules, standards, values etc. for another. Part of the problem, according to Arendt, is thinking in terms of rules, standards and values in the first place. The reduction of judgment to application is basically a renunciation of responsibility - and of freedom.

*So the mere application of found ideas as being irresponsible...*

Yes.

*I recently heard the phrase "Ontarians live to work, Quebecers work to live." Stereotypes aside, the phrase points to the quality of life issue, and perhaps unwittingly points to the fact that a lot of the way we structure our lives is cultural. The diverse student body often comments on the culture and quality of life issue at the faculty and within the study of law. How have you come to reconcile law and an acceptable quality of life?*

Just like the first

question I don't know if this divide between law and an acceptable quality of life is a good divide. A lot of the habits that we develop to "succeed" (whether in law or not) actually prevent us from succeeding, e.g. not eating well, putting in overly long hours, not socializing, etc...

There is strange belief that if we care about something we have to be stressed about it. I think this is linked to a sense of needing to control and master things. If we are always relating to things in this control manner then we are closed to things coming to us. Please forgive the comparison, but as with sports when one is in the "zone", there is a sense of "play", of going with the "flow," of not "forcing" it. Letting go and letting things come to us is one of the hardest things to do but it is essential to learning and to so much more.

I would also stress how lucky we all are to be here. Carrying a sense of gratitude changes one's relationship to the world in which one lives.

*I must admit that I have been taken in by somewhat of an instrumental mentality. I have come to law with an outside goal....*

I understand that some people come to law with a more instrumental attitude towards the degree, perhaps because they come later or with some debt. This is perfectly understandable. I believe that one can be instrumental about the law degree, but I think it is best to not let this general instrumentalism affect one's every disposition and attitude towards the classroom, one's peers and so on. It is reasonable that people have a goal...but once you make the decision, you enjoy it and live



in that experience, you come to appreciate it for what it is and not simply for what it can get you.

*How did you come to law?*

By accident. My dad was an engineer. When I was very young, we left civil war in Lebanon and came here, and he wanted us, the kids, to keep our options open. Law was originally a step down from science or economics, but not any longer.

*The dissertation you completed in your doctoral program at U.C. Berkeley focused on undertaking a "Genealogy of Crimes Against Humanity". What did your efforts uncover?*

I looked at the historical events and transformations that led to our naming a

human action a "crime against humanity." When you think of it, this is an astonishing name for a crime or family of crimes. I focused on pre-Nuremberg, pre-WWII, developments, mostly in the 18th, 19th centuries and in the early 20th century. I asked about the significance of our naming an act in this way for our understanding of politics and law. I found out a lot about the trial of Louis XVI, about the transformation of Christian charity into the principle of "humanity" at the heart of humanitarian law and much more.

*What is your idea of perfect happiness?*

Not having an "idea of perfect happiness."

*Who are your heroes in real*

*life?*

You mean, aside from you, the most laid-back student at the faculty?

*What book are you reading now?*

The Liberated Bride by A.B. Yehoshua.

*Which words or phrases do you most overuse?*

There are many phrases I overuse. My friends and students know these better than I do. One of them is "let's bracket that."

*What is it you most dislike?*

Pretension.

*What talent would you most like to have?*

A good memory. ☐

Remember  
that happiness  
is a way of  
travel - not a  
destination.

Roy M.  
Goodman

University of Ottawa

## Graduate Studies in Law

*think of the possibilities...*

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- International Humanitarian and Security Law
- Human Rights
- Women's Studies
- Environmental Law and Global Sustainability
- And more

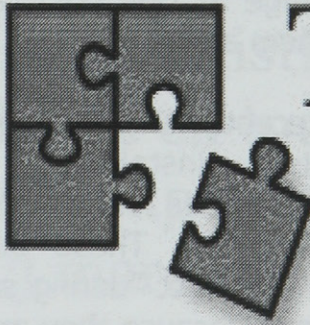


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# THE SUNSHINE ARTICLE

by Alison Glaser (Law I)

Last week in the Quid editorial we were asked to submit articles that have nothing to do with law. Unsurprisingly, I am very much able to do that! So this week's Sunshine Article is about one of my all time favourite activities: reading. Not reading of cases or Codes, but fiction, lovely lovely fiction. I sort of ODeD on this indulgence over the break, I must admit. It was great to read for pleasure again. It is amazing to me how, if I am entranced in a good book, I can read two hundred pages without even noticing that time has gone by. Certainly that is not true when I am reading, oh I don't know, *Canadian Constitutional Law* (oh wait, don't talk about law. Sorry.) I thought, then, that I would write about the books I've read recently to inspire others to read them.

Over the first two days (yes, only two days) of the break I read *The Time Traveller's Wife* by Audrey Niffenegger. The book is about a man who time travels involuntarily and about his relationship with his wife. The book opens with the main character meeting his wife for the first time, but his wife has known him her whole life – but an older version of him who had time travelled back and met her as a child. Let me tell you, from that moment I was hooked. It is an enthralling story with great characters. My aunt apparently read it through four times in a row. I would highly recommend it.

At the moment I am reading a collection of short stories by my favourite mystery writer Dorothy Sayers. The detective that she created, Lord Peter Whimsy, is a much more well-rounded character than either Poirot or Sherlock Holmes. He is an English Lord who was an intelligence officer during WWI and when he came back to civilian life found he had a knack for crime solving. The mysteries are generally very well-plotted and the social commentary on the aristocracy, Marxists, and so on is really interesting. The stories are also very funny. There are several books with him in it and they are all really good (I went on a Sayers binge at one point and read them all).

Recently I just finished the sixth instalment in the *Outlander* series by Diana Gabaldon. These books are the perfect "during semester" read because they are what I call "good junk fiction". The stories are really excellent and well-researched and highly readable. They are basically the fiction version of crack, actually, since I really can't stop reading them.

Now I realize some people are not so into fiction. My husband, for example, is a big non-fiction fan. He just finished reading Barbara Ehrenreich's book *Bait and Switch*. In the book, the author went undercover as a middle-aged professional

trying to get a white-collar job in corporate America. I was not a big fan of my husband reading this book since every day he would turn to me and tell me another depressing fact about corporate America. However, he really enjoyed it, and it made him happy in his choice of profession (he's a teacher). Other books he has liked are *Blink* and *The Tipping Point* by Malcolm Gladwell and all the books by Bill Bryson. He is also a huge fan of Anthony Bourdain, a New York Chef who has written two non-fiction books: *Kitchen Confidential*, about life as a chef, and *A Cook's Tour* about his travels around the world looking for the perfect meal. Bourdain is sarcastic and crass and side-splittingly funny, which makes these books very enjoyable.

People other than me may be able to handle books that involve slightly more brain power than the above do, in which case I can recommend *The Kite Runner* which my dad says is the best book he has read in years and that I will be reading starting May 1 when my brain turns back to its normal non-mush self.

Finally, here are some books that I consider my "old standbys". That is, if I have nothing new to read I will always pick these one's up and reread them. *The End of Eternity* by Isaac Asimov is another book about time travel, but much more in the science fiction genre. It has one of the coolest plots I have ever come across. The setting is in "eternity" which is an organization that is outside the bounds of time and where the "eternals" change things on earth in order to benefit humanity. Obviously chaos ensues. Another series of books that I've read several

times is Harry Potter. Now don't laugh, they are not only for kids, I swear. They are really good stories with lots of fun imaginative twists to the plots. Also I have reread them in French which is very helpful for boosting my French vocabulary and comprehension. Finally, there is my perennial favourite, *Pride and Prejudice* which I have read possibly a thousand times (my copy automatically opens to the part when Elizabeth is at the Collins' and the part at the end with Lady Catherine. Those of you who read it know what I mean!)

In conclusion, I hope this has inspired you to go read some good books. If anyone else has any good requests, please let me know. Happy reading.



Be daring, be  
different, be  
impractical, be  
anything that  
will assert  
integrity of  
purpose and  
imaginative  
vision against  
the play-it-  
safers, the  
creatures of the  
commonplace,  
the slaves of the  
ordinary.

Cecil Beaton



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## ***Quid Special Issue:***

*Tell us where you see yourself in 10 years.*

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Oh yeah ... we accept articles *in French* too!



# A Little Perspective, Please

by Jason MacLean (Law III)

In November of 1992, an absolutely remarkable document was released called the "World Scientists Warning to Humanity." It was signed by over 1,600 scientists, including over half of the then living Nobel Prize winners in science. A somewhat reputable group, then. This is in part what they had to say:

'Human beings and the natural world are on a collision course. Human activities inflict harsh and often irreversible damage on the environment and on critical resources. If not checked, many of our current practices put at serious risk the future we wish for human society and may so alter the living world that it will be unable to sustain life in the manner that we know. Fundamental changes are urgent, if we are to avoid the collision our present course will bring about.'

The warning then lists areas of concern - the atmosphere, water resources, oceans, soil, forest, species extinction, population - and then the mood grows deep, dark. 'No more than one or a few decades remain before the chance to avert the threats we now confront will be lost and the prospects for humanity immeasurably diminished. A great change in our stewardship of the Earth and the life on it is required, if vast human misery is to be avoided and our global home on this planet is not to be irretrievably mutilated'

Do any of you remember reading about this warning in the press? Unlikely, as both The New York Times and the Washington Post refused to report the warning, arguing it was not "newsworthy." The Globe and Mail, now the official newspaper of the Conservative party, did not even bother to give a reason for neglecting to mention it, if indeed it had even heard of it in the first place. Ditto the CBC. As disturbing as the warning is, the media's non-response is terrifying.

Terrifying too is the distracted character of the elite in Canada and the United States, and such distraction is

everywhere apparent. Not least in these pages.

Now wait a second, I know what you are thinking: The Quid is not that kind of paper. It is not the New York Times. It is not for *serious* issues. It is supposed to be, among other things, amusing. A...what's the word I'm looking for...distraction. Would that it be true.

Last year, I wrote an article asking what the Quid was good for. It is not a question really for me to answer, certainly not alone. As a community, we decide collectively what it is for, and we also try to make it as good as we can in the time that we all have to work on it, whether as a contributor or as a volunteer on the staff. I happen to think it is good for a lot of things, as this issue, indeed each issue we publish, makes abundantly clear. It is equally a venue for serious and lighthearted discussion, and I hope it will always retain this eclectic quality.

It is easier to say, by contrast, what the Quid is *not* for. The Quid is *not* a venue for personal attacks. Now, we're not perfect and, occasionally, an inappropriate article (or an inappropriate comment within an otherwise acceptable article, which is more often the case) slips through, much to our profound regret. The example I have in mind is one of the letters published last week in the Dear Lord Denning column. Through editorial error, an inappropriate letter concerning legal methodology was published. Why inappropriate? For one, it included a personal attack on one member of our community and was highly disrespectful of another (and several others, including myself, by implication -- full disclosure: I am a legal methodology TL); for another, it was published anonymously.

The letter for the most part is not worth commenting on -- its level of intellectual engagement (such that it is) speaks sadly for itself. That said, I see its unfortunate and regrettable publication as an opportunity to touch on a couple of issues.

First, let us at the Quid reiterate that the Quid is not going to publish personal attacks against members of our community.

Second, the exceptional anonymity policy we adopted last semester is not ever again going to be seized upon for the purpose of making personal attacks. We adopted a highly exceptional anonymity policy to allow us at the Quid to publish articles that would be of value to our community, articles that would not otherwise be published. The policy was designed to protect contributors who have something compelling to say from stigma and other adverse reactions. That said, the EIC would in each case know the identity of the author. In adopting this policy we have in mind issues that are at once politically and personally charged. Needless to say, whining about legal methodology does not apply.

Third, I would like to add that while mistakes have been made in legal methodology (as they are in virtually every university course and otherwise human endeavor undertaken), every decision that has been made has been taken with only the best interests of the students in mind.

Fourth, the tantrum aimed at legal methodology is wide of the mark. The real target warranting real criticism (i.e., constructive criticism) is the curriculum as a whole. Absolutely vital aspects of legal education are inappropriately and ineffectively compartmentalized in legal methodology, when they really should be a part of all classes.

Fifth and finally, a little perspective, please. How many credits is legal methodology worth out of 105? And what good will any of those credits be if we do not begin to use our skills to address problems that really matter. Like, I don't know, corporate depredation and environmental degradation, for starters.



# DEAR LORD DENNING:

Your Academic and Career Questions Answered

## This Week: Lord Denning on Etiquette

Last week we heard from "Frustrated and Confused First Year" who, among various other criticisms, asked, "Why does legal methodology suck so badly?" Among her concerns were the grading scheme, the course materials, the instructors, assignments, and the abuse he is suffering from his 3rd and 4th year peers. This week, Lord Denning ventures into territory, uncharted even by himself, to formulate a legislative response to "Frustrated."

Dear Frustrated and Confused First-year:

I am not sure how to respond to the question "why does legal Methodology suck so badly". Aside from the fact that this is a statement based on a personal conclusion which not all first year legal Methodology students share, I am not entirely clear on the intended meaning of the expletive "suck". I do not know, in the abstract, how to decide whether something "sucks badly" or not, and, even if it is proven that something does "suck badly", I am not capable of providing a philosophical account as to why.

I am also incapable of responding to whether or not a given course is a "waste of time", as I am not well versed in the efficacy of certain pedagogical approaches. I am not qualified to declare that a course which has been taught in universities across the country for years is irrelevant to a law degree, and I suspect that our poor confused first year is also lacking such qualifications.

I am certainly not in the position to comment on the reasons for a student's skill deficiencies, and will thus not attempt to answer the "frustrated and confused first year's" question: "why is it that I still don't know how to write a statute". However, I will point out that the course is not entitled "statute writing 101", and I have heard through the proverbial grapevine that the statute was assigned to foster a familiarity with the language of statutes, a language in which one must be fluent for the purposes of statutory interpretation.

However, in order to assist my young, misguided reader in her future statute writing endeavours, I have provided a sample statute.

## ACT REGARDING ETIQUETTE AT THE MCGILL FACULTY OF LAW

WHEREAS Lord Denning's time is valuable and best applied to honest inquiries

WHEREAS the McGill community values respectful communication

WHEREAS anonymous, execrable attacks on faculty members are hurtful, destructive, and have no place in the faculty

WHEREAS the use of expletives is frowned upon in an atmosphere of talented aspiring professionals

WHEREAS Law Buzz, and not Lord Denning's domain, is the appropriate forum for unrestrained diatribes

Now, THEREFORE, Lord Denning, acting on the advice and with the consent of the Lord Denning Fan Club, enacts the following;

### I. Motivations for Complaints

1. Inquiries as to the motivations behind one's own tendencies toward ranting, bellyaching, and/or vitriolic venting (ie questions such as "why do I waste so much time complaining about this course") shall be directed to a professional adequately trained in the domain of human psychology.

2. Questions as to the motivations behind the behaviour of one's peers (ie questions such as "why is it that my friends in 3rd and 4th year make fun of me when I tell them the class comprises of more than tutorial sessions...") shall be directed to said peers, or to a trained professional of the variety described above.

### II. Criticisms of Pedagogical Methods

3. Inquiries as to the exact nature of a faculty member's job shall be directed to either the administration or the faculty member in question. In phrasing such an inquiry, one may wish to refrain from assuming that a faculty member's position is limited to "moving the mouse around when [another faculty member] talks."



4. Criticisms of the pedagogical methods of faculty members shall be directed toward the relevant faculty members, as Lord Denning has neither the expertise nor jurisdiction to redesign courses taught at McGill law.
5. Before inquiring as to the seeming disorganization of courses and the reason that "most...assignments have mistakes," one shall first consider the reality of human error. It may also be advisable to verify whether the inquiring party himself is wholly and completely incapable of making errors. If inquiries are still deemed necessary, the relevant faculty member/teaching assistant is in a better position to respond to said inquiries than Lord Denning, who is not telepathic.
- 6.1 It is advisable that students who feel compelled to vociferously complain about their courses refrain from doing so. Instead, they should direct their energies toward envisioning ways to improve their courses, and voice their suggestions in course evaluations or to the relevant faculty members.
- 6.2 Direct criticisms of a given course or faculty member, especially those of the antagonistic, maladaptive, or juvenile variety, shall not be anonymous.

### III. Sanctions

7. All inquiries submitted to Lord Denning that do not comply with the above criteria shall not be dignified with a constructive response, but shall be the object of caustic sarcasm.

Sincerely

Lord Denning

(In collaboration with Amanda Glover and Rhonda Grintuch)

### Questions for next week:

The Missing Blackett Report

Dear Lord Denning:

As a member of the first year class, I find that I have to take things as they come. The situation and environment that I walked into on September 1st was in no way controlled by my thoughts, actions, or criticisms. That has changed since then, or at least idealistically I'd like to think that my fellow 1st years and the rest of the faculty have impacted it's environment since. However, there is a lot of misunderstanding, misinformation, and just plain ignorance about the developments that have occurred in the Faculty's history.

One such development was the release of the Blackett Report on McGill's grading, evaluation and other policies. My classmates and I can't find it anywhere. After discussion with others I think it would be useful to know the comments that were made in this report. So Lord Denning, where is the Blackett report? Would you entertain us with your amazing prose and fill us in?

-- Eric Boschetti

Feel free to write in and help Lord Denning along. Questions and answers can be sent to [deardenning@yahoo.ca](mailto:deardenning@yahoo.ca).



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